

**Notice of Allowability**

Application No.

10/760,350

Examiner

Jerry Martin Blevins

Applicant(s)

NARUSE ET AL.

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 01/24/2004.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ The drawings filed on no drawings submitted or required are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

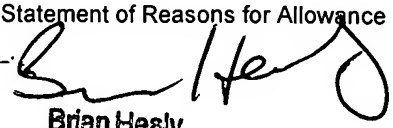
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 01/21/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**Brian Healy**  
**Primary Examiner**

## DETAILED ACTION

### *Allowable Subject Matter*

Claims 1-5 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art, as best exemplified by US Patent to Hattori et al, number 6,760,086, teaches a covering composition (Figures 1-5) comprising an unsaturated polyester oligomer having two or more (meth)acryloyl groups in a molecule (column 6, line 41 – column 7, line 11) and a photopolymerization initiator (column 2, lines 36-39). However, Hattori does not teach that a glass transition temperature of a cured substance in the unsaturated polyester oligomer is 100 to 350 degrees Celsius. Hattori also does not teach at least one oligomer selected from the group consisting: an epoxy modified (meth)acrylate oligomer, a polyester polyol modified (meth)acrylate oligomer, and urethane polyether polyol modified (meth)acrylate or urethane polyester modified (meth)acrylate. Furthermore, Hattori does not teach that the covering composition is for an optical fiber. US Patent to Shimada et al, number 6,514,619, teaches a covering composition wherein a cured substance has a glass transition temperature of at least 100 degrees Celsius (abstract). However, the cured substance of Shimada is a carboxyl group containing acrylic resin. There is no suggestion to combine the unsaturated polyester oligomer of Hattori with the nonanalogous teaching of Shimada. US Pre Grant Publication to Sumi et al, teaches an epoxy modified (meth)acrylate oligomer (page 4, paragraph 47). However, the oligomer of Sumi is part

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of the composition of an adhesive tape. There is no suggestion to combine the unsaturated polyester oligomer and photopolymerization initiator of Hattori with the nonanalogous teaching of Sumi. US Pre Grant Publication to Kai et al, number 2003/0060563 teaches a polymer based cured coating suitable for coating optical fibers (page 13, paragraph 205). However, Kai does not teach any of the essential components of the claimed invention. There is no suggestion to combine the teaching of Kai with the covering of Hattori. In light of the above explanation, Hattori, either alone or in combination with the other prior art of record, does not disclose nor render obvious the claimed invention.

Claims 2-5 are allowed based on their dependence on allowed base claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


US Patent to Tortorello, number 6,023,547, teaches the application of a primer covering layer, an ink covering layer, and a matrix covering layer to an optical fiber (column 1, lines 16-40).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Martin Blevins whose telephone number is 571-272-8581. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMB

  
Brian Healy  
Primary Examiner